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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,154

10/16/2003

David S. Benco

LUC-438/Benco  
33-24-24-27

6638

47382 7590 03/22/2007  
CARMEN B. PATTI & ASSOCIATES, LLC  
ONE NORTH LASALLE STREET  
44TH FLOOR  
CHICAGO, IL 60602

EXAMINER

IQBAL, KHAWAR

ART UNIT

PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/22/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/687,154	BENCO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Khawar Iqbal	2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 9-20,22 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-20,22,24-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9-20,24-27 are rejected under 35 U.S.C. 102(e) as being anticipated by White (20040203955).
3. Regarding claim 9 White teaches a method for input of events and subsequent event notification to at least one mobile handset, comprising the steps of (figs. 1-4):
  - inputting to a network a computer generated message that is related to an event that is associated with a predetermined mobile handsets of a plurality of mobile handsets (para. # 0023);
  - converting the computer generated message to a notification message in SMS form (para. # 0023) ; and
  - automatically sending the notification message in SMS form from the network to the predetermined mobile handset of the plurality of the mobile handsets (para. # 0023).Regarding claims 16,24 White teaches a system for input of events and subsequent event notification to at least one mobile handset, comprising (figs. 104):

a network operatively connected to at least a public data network communication system and to at least one mobile handset (para. # 0023);

the network having an input module operatively connected to the public data network communication system (para. # 0023);

the network having a conversion module operatively connected to the input module and to a plurality of mobile handsets that are uniquely identifiable (para. # 0023); and

the network having a communication module operatively connected to the conversion module and to the at least one mobile handset (para. # 0023);

wherein when a computer generated message, which is related to an event, is inputted from the public data network communication system, the computer generated message is converted to a notification message in SMS form, and the notification message is automatically sent in SMS form from the network to a selected one mobile handset of the plurality of mobile handset that are uniquely identifiable (para. # 0023).

Regarding claims 10,17,25 White teaches recognizing, by the network, that the computer generated message is related to an event; and accepting, by the network, the event as an input to the network (para. # 0023).

Regarding claims 11,18,26 White teaches an information part; and a designation part that designates a mobile handset (para. # 0023).

Regarding claims 12,19,27 White teaches wherein, upon inputting of the computer generated message that is related to an event, the network automatically checks the designation part for a valid mobile handset designation, and, if the mobile

handset designation is valid, checks the information part for a valid event format (para. # 0021-0023,0017-0019).

Regarding claims 13,20 White teaches wherein, upon inputting of the computer generated message, the network automatically checks the designation part for a valid mobile handset designation (para. # 0021-0023,0017-0019).

Regarding claim 14 White teaches wherein, upon inputting of the computer generated message, the network automatically checks the information part for a valid event format (para. # 0021-0023,0017-0019).

Regarding claim 15 White teaches wherein, after inputting of the computer generated message that is related to an event, the network automatically converts the computer generated message to a notification message in SMS form and automatically delivers the notification message in SMS form to the designated mobile handset (para. # 0021-0023,0017-0019).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over White (20040203955) and further in view of Sawyer et al (5946629).

Regarding claim 22 White does not expressly teach the format details having the following fields, EVENT-MESSAGE-HEADER followed by EVENT-EVENT-DESTINATION, followed by EVENT\_DETIMITER, followed by EVENT\_TEXT, followed by EVENT-TRAILER, parsing each EVENT-MESSAGE to verify the HEADER, DETIMITER, and TRAILER fields; and converting, if the mobile terminal handset supports SMS, the EVENT-MESSAGE to an SMS message.

In an analogous art, Sawyer et al. teaches the format having the following fields, EVENT-MESSAGE-HEADER followed by EVENT-DESTINATION, followed by EVENT\_DETIMITER, followed by EVENT\_TEXT, followed by EVENT-TRAILER, parsing each EVENT-MESSAGE to verify the HEADER, DETIMITER, and TRAILER fields; and converting, if the mobile terminal handset supports SMS, the EVENT-MESSAGE to an SMS message (Figure 3; col. 2, line 5 to 26; col. 3, line 47 to col. 4, line 47; col. 5, line 5 to 41; col. 6, line 43 to 55). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify White SMS notification system to include the format details" having the following fields, EVENT-MESSAGE-HEADER followed by EVENT-DESTINATION, followed by EVENT\_DETIMITER, followed by EVENT\_TEXT, followed by EVENT-TRAILER, parsing each EVENT-MESSAGE to verify the HEADER, DETIMITER, and TRAILER fields; and converting, if the mobile terminal handset supports SMS, the EVENT-MESSAGE to an SMS message in order to facilitating effectively providing SMS message notification to respective mobile device and therefore the user can be notified

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of the important or urgent message in a appropriate and timely manner such as taught by Seshadri et al.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 9-20,22,24-27 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

K.I.

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER